

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE NBR)	
ANTITRUST LITIGATION)	Master Docket
_____)	Civil Action No. 03-1898
THIS DOCUMENT RELATES TO:)	
_____)	Judge Cercone
)	Magistrate Judge Hay

1- ORDER

AND NOW, this 27 day September, 2005, after the plaintiffs filed an action in the above-captioned case, and after a Motion to Dismiss was submitted on behalf of defendant DSM Copolymer, Inc., and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by defendant, DSM Copolymer, Inc., the response to those objections filed by plaintiffs, and a reply filed by defendant, DSM Copolymer, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that defendant, DSM Copolymer, Inc.'s Motion to Dismiss [Docket No.76] is DENIED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he/she must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.



DAVID S. CERCONO
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

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